

REMARKS

The present invention is a method of issuing coupons, a data processing system for issuing coupons, a master coupon, customer coupon and child coupon and a method of issuing and redeeming coupons. In accordance with the invention, a master coupon is made available at an accessible electronic site. The master coupon is accessed for copying as a customer coupon into a reserved site for a customer. A benefit associated with the customer coupon is established which is based on properties defined by the master coupon. The benefit of the customer coupon is shared with another coupon by copying the customer coupon as a child coupon to a reserved site for another customer. The child coupon inherits the benefits associated with the customer coupon. The benefit of the customer coupon is modified in response to the sharing of the benefit of the customer coupon with the child coupon. See page 3, lines 2-5 and 11-15; page 9, lines 15-27 through page 10, lines 1-23; and page 12, lines 15-26 through page 13, lines 1-17, of the specification, for a discussion of sharing of coupons and the obtaining of benefits.

Claims 13-16 stand rejected under 35 U.S.C. §101 as allegedly not being directed to statutory subject matter within the technological arts. This ground of rejection is traversed with respect to newly submitted claims 35-37 which correspond to claims 13-16. Claim 35 recites, "a master coupon, a customer coupon and a child coupon wherein the master coupon comprises a first indicator describing at least one business at which the master coupon can be redeemed, a second indicator describing a time period during which the master coupon is valid, a third indicator describing at least one additional parameter which effects validity of the master coupon, and a fourth indicator describing a benefit of the master coupon to a

redeemer, with the benefit being variable and depending on at least one event occurring after the issuance of master coupon; the customer coupon comprises a copy of the master coupon reserved for another customer at a reserved site and a child coupon which is copied from the customer coupon to provide a shared benefit between the customer coupon and the child coupon and the customer coupon, in response to sharing of the benefit of the customer coupon with a child coupon, receives a modified benefit; and the child coupon shares a benefit with the customer coupon." It is submitted that the Examiner's conclusion that the claimed master coupon, customer coupon and child coupon do not relate to the technological arts is misplaced. The authority cited by the Examiner, which discuss laws of nature, natural phenomena and abstract ideas, is not applicable to the present claims involving customer and child coupons copied respectively from a master and customer coupon. The claims do not pertain to an algorithm since coupons are not in the nature of an algorithm and the Examiner has made no showing suggesting that they are.

In the Conclusion of the rejection, the Examiner states: "[I]n the present invention, these claims do not set forth [a] positive limitation that are required to be carried out by a computer." There is no requirement in law that claims drawn to a master coupon, a customer coupon and a child coupon have to be stored or implemented on a digital computer.

It is submitted that the Examiner's statement in paragraph 2 of the foregoing rejection that the claim is "purely a collection of data" is not a proper construction of the claim in view of the above discussion including the copying of the coupons which involves the technological arts.

Claims 13-16 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Newly submitted claims 21-42 have been drafted to overcome the stated grounds of rejection.

Claims 1-3 and 8-14 stand rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent 6,336,099 (Barnett et al). Newly submitted claims 21, 26 and 27 correspond to claims 1-3 and newly submitted claims 31-36 correspond to claims 8-14.

Claim 21 recites:

A method of issuing electronic coupons comprising:
making a master coupon available at an accessible electronic site;
accessing said master coupon for copying a customer coupon into a reserved site for a customer;
establishing a benefit associated with said customer coupon wherein the benefit is based on properties defined by said master coupon;
sharing the benefit of said customer coupon with another customer by copying said customer coupon as a child coupon to a reserved site for said another customer, wherein said child coupon inherits the benefit associated with said customer coupon; and
modifying the benefit of said customer coupon in response to the sharing of the benefit of the customer coupon with the child coupon.

and

Claim 32 recites:

A data processing system for issuing coupons, comprising:
a server for generating master coupons at locations attributable to different merchants and for establishing locations attributable to various customers for receiving coupons of each customer;
a network connection allowing customers to access said master coupons at said merchant locations and for copying the master coupons at locations as customer coupons;
said customer coupons having a benefit which varies in accordance with properties defined by the master coupon;

a server for copying the customer coupon as a child coupon to a received site for another customer to provide a shared benefit of the customer coupon to the another customer with the child coupon; and

modifying the benefit of the customer coupon in response to sharing a benefit of the copied customer coupon with the child coupon.

Each of claims 21 and 32 recite a master coupon which is copied into a customer coupon with a sharing of benefits of a customer coupon by copying the customer coupon as a child coupon for another customer with the child coupon inheriting the benefit associated with the customer coupon and the benefit of the customer coupon, in response to the sharing of the benefit of the customer coupon with the child coupon, being modified. This subject matter is not taught in Barnett et al.

Moreover, there is no basis in the record why a person of ordinary skill in the art would be led to modify the teachings of Barnett et al to arrive at the subject matter of independent claims 21 and 32 and the more specific dependent claims 26 and 27, 31 and 33-36.

Claims 4, 7 and 15 stand rejected under 35 U.S.C. §102 as being anticipated or obvious over Barnett et al. The deficiencies of Barnett et al have already been discussed above with respect to newly submitted claim 21 which corresponds to claim 1 from which newly submitted claim 28, which corresponds to claim 4, depends. Claim 28 is patentable for the same reasons set forth above with respect to claim 21. Claim 30, which corresponds to claim 7, is patentable for the same reasons set forth above with respect to claims 21 and 28.

Claim 15 is patentable for the same reasons set forth above with respect to newly submitted claim 35 which corresponds to claim 13.

Claims 6, 10 and 16 stand rejected under 35 U.S.C. §103 as being unpatentable over Barnett et al. Even if it would be obvious to one of ordinary skill in the art at the time of the invention to inform a friend of a coupon, the deficiencies noted above with respect to independent claims 21, 32 and 35 regarding Barnett et al have not been cured.

Claim 5 stands rejected under 35 U.S.C. §103 as being unpatentable over Barnett et al in view of United States Patent 6,505,046 (Baker). Baker has been cited for teaching a central offer/coupon server that downloads coupons to users depending on their location. Baker does not cure the deficiencies noted above with respect to Barnett et al. Accordingly, the subject matter of claim 29, which corresponds to claim 5 is patentable.

Claims 17-20 stand rejected under 35 U.S.C. §103 as being unpatentable over Baker in view of United States Patent 5,523,794 (Mankovitz et al). Mankovitz et al has been cited for teaching sharing coupons in a portable wireless device. Mankovitz et al do not cure the deficiencies noted above with respect to Baker. Specifically, newly submitted claim 38, which corresponds to claim 17, recites subject matter pertaining to the master coupon, customer coupon and child coupons and the sharing of benefits as discussed above with respect to newly submitted claims 21 and 32. Accordingly, claims 38-41 are patentable for the reasons set forth above discussing the deficiencies of Baker which have not been cured by Mankovitz et al.

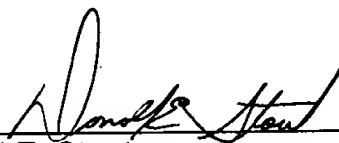
Newly submitted claims 22-25 recite previously unclaimed subject matter which is not suggested by the prior art of record.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (0171.38583X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in black ink, appearing to read "Donald E. Stout", is written over a horizontal line.

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Attachments

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